

Grant of Certification Without Conditions when the U.S. Environmental Protection Agency (EPA) is the Certifying Authority for the 2023 ALABAMA COUSHATTA NPDES Permit

The Environmental Protection Agency (EPA), Region 6 is issuing the National Pollutant Discharge Elimination System (NPDES) permit authorizing treated wastewater to Tombigbee Creek below Tombigbee Lake thence to Bear Creek, thence to Big Sandy Creek, thence to Village Creek in Segment 0608 of the Neches River Basin

When an NPDES permit is issued on Tribal Land, the Tribe is the certifying authority where the Tribe has been approved by EPA for Treatment as a State (TAS) pursuant to CWA Section 518(e) and 40 CFR § 131.8. Where a Tribe does not have TAS, EPA is the certifying authority. Alabama-Coushatta Tribe of Texas is federally recognized and do not have TAS for the Tribal Land where discharges under NPDES Permit may occur and therefore EPA is responsible for issuing the CWA Section 401 Certification for this permit:

In some cases, lands held in trust for the Tribe or Tribal members were included in EPA's approval for TAS for CWA Section 401, or the Tribe may have acquired lands following EPA's action for TAS approval for CWA Section 401. Where these lands exist, EPA is also responsible for issuing the CWA Section 401 Certification for this permit.

EPA hereby certifies that there is reasonable assurance that the discharge(s), meeting the requirements of the permit, will not result in a violation of applicable provisions of sections 301, 302, 303, 306 and 307 of the CWA and any appropriate requirements of State/Tribal law.

Date: May 4, 2023



Signature:

Charles W. Maguire
Director, Water Division, EPA Region 6